



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

*Promoting the wise use of land
Helping build great communities*

MEETING DATE September 8, 2016	CONTACT/PHONE Jo Manson 781-4660/jmanson@co.slo.ca.us	APPLICANT Cypress Ridge Golf Course, LLC	FILE NO. SUB2003-00208 D000391D
SUBJECT A request for a third time extension by Cypress Ridge Golf Course, LLC for Vesting Tentative Tract Map 2641 and Conditional Use Permit to 1) subdivide 8 existing lots (totaling about 10.1 acres) into 10 parcels ranging from 0.35 acres to 4.7 acres each for the purpose of sale and or development; 2) allow for the following uses within this 10.1 acre area: construction of 81 individually-owned lodging units (one and two-story, one and two-bedroom units [totaling 149 bedrooms]); lodging occupancy shall be limited to no more than 29 days for non-owners and 84 days for unit owners; a 200-seat restaurant; a pro shop and clubhouse (replaces existing facility); conference rooms (totaling 3,408 sq. ft); 3) reduce parking requirements by approximately 17% to provide for 260 parking spaces; and 4) reduce setback requirements allowed for planned developments. The project is located at 950 Cypress Ridge Parkway, approximately 2,000 feet south of Halcyon Road, in the village of Palo Mesa on the Nipomo Mesa, in the South County Inland Sub-Area in the South County planning area.			
RECOMMENDED ACTION Approve the third time extension request for Vesting Tentative Tract Map 2641 and Conditional Use Permit.			
ENVIRONMENTAL DETERMINATION A Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on May 20, 2005 for this project. The Negative Declaration was approved by the Planning Commission on July 14, 2005.			
LAND USE CATEGORY Recreation	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 075-400-001 and 075-407-008 through 075-407-014	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: South County Planning Area (Areawide) – Circulation (22.98.070(C)), South County Planning Area (Palo Mesa) – Recreation (22.108.060(C))			
LAND USE ORDINANCE STANDARDS: Exterior Lighting (22.10.060), Landscape Plan (22.16.040), Parking Standards (22.18.040), Signage (22.20.060), Lodging (22.30.280 & 290), Fire Safety Plan (22.50.030), Setbacks (22.10.140)			
EXISTING USES: Pro shop, parking lot, landscaping, vacant			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban / residential, golf course East: Residential Suburban / residential, golf course South: Residential Suburban / residential, golf course West: Residential Suburban / residential, golf course			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: Vesting tentative tract map was originally referred to Nipomo Community Advisory Group, Public Works, Environmental Health, Agricultural Commissioner, County Parks, Cal Fire, Air Pollution Control District, Cal Trans			
TOPOGRAPHY: Nearly level to moderately sloping		VEGETATION: Grasses, ornamental landscaping	
PROPOSED SERVICES: Water supply: Community System Sewage Disposal: Community sewage disposal system Fire Protection: Cal Fire		ACCEPTANCE DATE: N/A	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Vesting Tentative Tract Map 2641 and Conditional Use Permit were approved by the Planning Commission on July 14, 2005 and (after legislative time extensions expired) were set to expire on July 14, 2016. On April 26, 2016, the applicant requested the **third one year time extension and paid the extension application fee on May 2, 2016**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body. (A time extension for a tentative map also extends the life of the related conditional use permit if it is required as a part of the subdivision process).

Vesting Tentative Tract Map 2641 and Conditional Use Permit is a request by Cypress Ridge Golf Course, LLC to 1) subdivide 8 existing lots (totaling about 10.1 acres) into 10 parcels ranging from 0.35 acres to 4.7 acres each for the purpose of sale and or development; 2) allow for the following uses within this 10.1 acre area: construction of 81 individually-owned lodging units (one and two-story, one and two-bedroom units [totaling 149 bedrooms]); lodging occupancy shall be limited to no more than 29 days for non-owners and 84 days for unit owners; a 200-seat restaurant; a pro shop and clubhouse (replaces existing facility); conference rooms (totaling 3,408 sq. ft); 3) reduce parking requirements by approximately 17% to provide for 260 parking spaces; and 4) reduce setback requirements allowed for planned developments.

This vesting tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for vesting tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Planning Commission and the public.

DISCUSSION

The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved vesting tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was July 14, 2007. The Planning Commission approved a first one year time extension request on July 12, 2007 and the new expiration date was July 14, 2008. The Planning Commission approved a second one year time extension request on August 28, 2008 and the new expiration date was July 14, 2009. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **third discretionary one year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. The Vesting Tentative Tract Map 2641 and Conditional Use Permit were extended to July 14, 2010.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty four (24) months. Vesting Tentative Tract Map 2641 and Conditional Use Permit were extended to July 14, 2012.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty four (24) months. Vesting Tentative Tract Map 2641 and Conditional Use Permit were extended to July 14, 2014.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 11, 2013 it extends the tentative map twenty four (24) months. Vesting Tentative Tract Map 2641 and Conditional Use Permit were extended to July 14, 2016.

Staff Determination and Recommendation

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

After review of the vesting tentative map, staff recommends to the Planning Commission that the **third one year time extension** be granted to July 14, 2017 subject to the conditions of approval set by the Planning Commission on July 14, 2005 in accordance with Resolution No. 2005-024 and Resolution No. 2005-025.

ATTACHMENTS

Attachment 1 - Project Graphics

Attachment 2 – Planning Commission Resolution No. 2005-024 (Tract)

Attachment 3 – Planning Commission Resolution No. 2005-025 (CUP)

Staff report prepared by Jo Manson and reviewed by Terry Wahler, Senior Planner